

J. H. WILSON IS HELD LIABLE ON ROCK CONTRACT

Attorney Carden in Opinion Says Contractor Owes City \$171.41

Replying to a question submitted to the attorney's department by H. E. Wescott, purchasing agent, Second Deputy Attorney W. T. Carden has submitted the following opinion with reference to the liability of J. H. Wilson, contractor for crushed rock for the city and county road department, for an excess in price of rock furnished by Honolulu Construction and Draying Company after Wilson had given notice that, on account of a breakdown in his plant, he was unable to fulfill his contract:

In re purchases of No. 2 and No. 4 crushed rock, during the period August 21 to August 31, 1916, for the use of the Road Department of the City and County of Honolulu from the Honolulu Construction and Draying Company as against the contract for the purchase of the same from J. H. Wilson.

Enclosed herewith please find documents in this matter, showing the purchase of a total of 833 1/2 cubic yards No. 2 rock and 182 1/2 cubic yards No. 4 rock, aggregating the amounts of \$623.14 and \$319.29 respectively, a total amount of \$942.53.

As stated by you to me the procedure in this matter was as follows:

J. H. Wilson was under contract with the city and county to deliver to the city and county all crushed rock of Nos. 2 and 4, at request for the prices of \$1.00 and \$1.45 per cubic yard, respectively. During the period August 21 to August 31, Mr. J. H. Wilson, upon the request of the road department for the furnishing of crushed rock of sizes Nos. 2 and 4, informed the representatives of the road department of the City and County of Honolulu that, owing to a breakdown in his crusher, he was unable to furnish rock as requested. Upon the further request of the representatives of the road department that he designate the person or firm or corporation who would supply rock to the city and county of Honolulu on his account, he declined to do so. He was thereupon informed by the representatives of the road department that they would proceed to obtain the necessary rock in the open market, holding him liable for the difference, if any, between his contract price and the price which would be necessary to be paid in the open market. I understand further that prior to each purchase of rock from the Honolulu Construction and Draying Company, Mr. Wilson was informed of the need of rock and was requested either to supply it himself or designate the individual, firm or corporation who would supply it for him.

The statement submitted by you to me shows that the difference between the amount charged by the Honolulu Construction and Draying Company (\$942.53) and the contract prices under which Mr. Wilson was bound to furnish his rock (\$763.12) is the sum of \$179.41.

I would advise you that the proper course for you to pursue in the matter will be for you to notify the auditor of the city and county of Honolulu that a claim against J. H. Wilson in the amount of \$179.41 on account of the above transaction, and notify him to hold up sufficient warrants, payable to J. H. Wilson, to cover the above amount. I would further advise you to forward to the board of supervisors of the city and county of Honolulu, for consideration at its next meeting, a similar statement setting forth the entire transaction in order that the board may deduct from any appropriation for the benefit of J. H. Wilson the amount of said claim of \$179.41.

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HEAD OF MAN IS CUT FROM BODY BENEATH WHEELS

Chinese Said to Have Stepped Directly in Front of On-coming Train

News reached Honolulu late Friday afternoon of the death of Sur Kau Thee, an Alea Chinese vegetable peddler, who was struck by the Oahu passenger train between Puuloa and Alea about 11 o'clock in the morning. Sur was about 52 years old and married. An inquest will be held at the Ewa courthouse in Pearl City some time next week.

According to the story told by William Noble, the Oahu engineer at the throttle, he saw the Chinese walking down the track with his baskets. The engineer slowed down, whistled and increased his speed again when the Chinese apparently stepped to one side. Then for some unknown reason, according to the engineer, the victim deliberately stepped back between the rails. Noble applied his emergency brakes quickly and brought the train to a dead stop almost within its own length, but not in time to avert the tragedy.

Fred B. Smith, general passenger agent of the Oahu Railway & Land Company, says he encountered considerable difficulty in learning the victim's name as he has been known around Alea for a long time only as the "Pupule" (crazy) Chinese.

MERLE'S MUSINGS

To those on the ground floor the outcome of the Republican convention was no big surprise. We thought all along that when Teddy got good and ready to refuse the leadership of his party he would do the right thing. All the same, it's still the Colonel's party, isn't it? Teddy is no alligator asleep under a log all winter. How will he size up as Secretary of State?

Baseball has the upper hand right now, and is in the second season. There are three baseball seasons in each year. First, the season of predictions; second, the season of real play, and, third, the season of explanations.

We observe that the Panama Canal is again open for business—but politics is not business.

Just a suggestion. We've heard of snake farms, and skunk farms, and fox farms, and frog farms. Perhaps it wouldn't be a bad venture to try a devil farm. It would be interesting.

At Waikiki we notice the increase this year, particularly so since our swimming meet, pulled off a short time ago, of swimming accessories. There are rubber caps, rubber hand bags, rubber parasols, rubber gloves, and, oh, yes, the usual crop of rubber neckties!

There is not the least doubt in the world that had it not been for those awful blouses and ties Bulgaria might be getting considerable more sympathy from this country during her latest struggle.

We are not hearing much from Mexico these days, which may mean that while adherents of Carranza are given some protection, the open season for Villistas is continued until further notice.

Thumb screws on kings is a pastime being practised on those "little fellows" who boss it over the small sections of Europe. They are ordered to get their armies ready to fight or lose their jobs. They ought to form a union.

Those tennis heroes—and who would deny them all the glory that goes with the caption: for anybody who will play tennis at midday in August and September is some hero.

Points that should be settled by ballot at the coming election: Belts versus suspenders; shirt waists for men; votes for women; tips or no tips; anti-treating.

Somewhat, the sight of a fellow taking his best girl for a ride on a two-seated motorcycle always reminds me of that famous picture, "Elaque," that held the caption, "The Dead, Steered by the Dumb, Went Upward with the Flood."

LOCAL AND GENERAL

HELP US TO INSURE DELIVERIES

The efforts of the Circulation Department are centered on insuring prompt and regular deliveries to subscribers.

If your paper is not delivered promptly and regularly you will do yourself and us a favor by calling Phone 4911, ask for the circulation department and make the complaint.

Serving so many thousands of homes every afternoon makes occasional lapses possible.

The Star-Bulletin maintains until 6:30 p. m. each day, a special city service for any customer the carrier may have missed.

Mr. and Mrs. Samuel Apela of Parker lane, near Liliha street, announce the birth of a baby boy Friday.

Alexander Kidd, aged 70 years, died this morning. The body was cremated at Williams' undertaking parlors.

The Interscholastic League will meet at 3:30 Monday afternoon in the Y. M. C. A. to elect officers for the ensuing term.

The Hawaiian Meat Company has moved its offices to room 215 Kaula building, while its old quarters are being improved.

The funeral of Mrs. Ellen Hickey, who died Thursday, was Friday, burial being in Manoa cemetery. She was born here 20 years ago.

The 5-month-old daughter of Mr. and Mrs. John Hoomans of 1638 Holokahana street died Friday and was buried in the Paea cemetery.

Miss Virginia Silva and Sylvester Ferrelra were married today in the Catholic cathedral by Rev. Father Reginald Yzendorn. Witnesses were August Silva and Joseph Silva.

Hearing on the reports of the master in the estate of the late John T. Campbell will be had in Circuit Judge Ashford's court at 2 o'clock next Monday afternoon.

Discontinuance of the case of W. T. Carden, trustee for the Honolulu Electric Company, a bankrupt, against R. Hara, an action for debt, has been filed in circuit court.

H. A. Wilder, Ben Kahalepuna and A. E. Restarick, clerks in the circuit court, have been appointed by Circuit Judge Ashford as appraisers of the estate of the late Kahalepuna Cunha.

A petition for the allowance of final accounts, determining trust and distributing the estate of the late H. M. Kanho has been filed in the circuit court by the Guardian Trust Company, administrator.

Petition for letters of administration in the estate of Hiroki Emoto, who was murdered at the Waikiki residence of J. B. Castle several weeks ago, will be heard in Circuit Judge Ashford's court at 9 o'clock next Monday morning.

A special meeting of the Hawaiian Historical Society will be held in the Honolulu Library building Tuesday, Sept. 26, 7:30 p. m. Papers will be presented by Mrs. Edgar Henriques on "Kekaulike, Queen of Maui," by Bruce Cartwright, Jr., "On Some Early Portuguese Residences of the Hawaiian Islands," and by Judge Lyle A. Dickey on "Legends of Waialua, Kauai." This promises to be a very interesting meeting and visitors will be welcome.

JOE G. FREITAS IS LOW MAN ON MAUI ROAD BID

With an offer of \$11,952 and 150 working days, Joe G. Freitas was lowest among five bidders for construction work on the Haleakala homestead roads, Makawao district, Maui, when tenders were opened at 11 o'clock today in the department of public works.

Wide discrepancy between bids was shown in the various offers, the highest of which was \$22,000 by William Cullen. A difference more than \$400 was shown between Freitas' bid and that of the man nearest to him.

Work on the road includes cutting and grading through the Makawao homestead districts, a distance estimated from seven to 10 miles. Bids submitted today are as follows: M. Picanco, \$17,324.60 and 200 working days; Hugh Howell, \$16,000 and 165 working days; Joe G. Freitas, \$11,952 and 150 working days; J. C. Foss, Jr., \$15,500 and 200 working days; William Cullen, \$22,000 and 210 working days.

NEW HATS HERE FROM NEW YORK

Exquisite creations, splendid examples of the latest fall millinery, are being shown at Miss Power's Millinery Parlors in the Boston Block—Adv.

A statement issued by the German admiralty asserts that the losses of the British and French navies of battleships and cruisers to August 1 were 72 vessels.

JAPANESE WILL OBSERVE BIRTH DATE OF MIKADO

Also Will Celebrate Selection of Heir-Apparent; Committee to Raise \$1000

About 350 Japanese residents met at the Central Japanese Institute, Nuuanu street, last night to discuss a celebration of the mikado's birthday on October 31, and also for the celebration of the selection of the heir apparent, which will be on November 3. Dr. G. Negoro was chairman of the meeting and M. Masuda secretary. After discussion plans for the celebration were adopted.

On October 31 all Japanese residents will observe the holiday at exercises in the garden of the Japanese consulate on Nuuanu street after the formal ceremony is over. An admission fee of 50 cents will be paid by each person entering the grounds, where the program of the day will be carried out, such as exhibitions of "Judo," Japanese fencing, and the cherry dance by the geisha girls.

On November 3 the celebration committee will forward a cablegram of congratulation to the minister of home affairs of the Japanese government in the name of the Japanese residents of Hawaii. A great lantern parade will be held at night. The financial committee announced last night that it will try to secure \$1000 to finance the program which has been decided on.

AFTER HALF YEAR OF WEDDED LIFE, COUPLE SEEKS DIVORCE COURT

After but a brief half year of married life, the Oscar Bernards have taken their marital difficulties into the local divorce court for a settlement, final or otherwise, at the hands of Circuit Judge C. W. Ashford. The Bernards were married in Honolulu on March 25, 1916, and last lived together as husband and wife on June 27, 1916.

In his suit for divorce, Bernard alleges that his wife, Emily, committed a statutory offense with one F. G. Freddo who, with the woman, recently were arrested by the federal authorities. He also charges his wife with desertion. The case in federal court is awaiting the action of the grand jury.

OFFERING WILL BE TAKEN TO AID BIG WORK OF MISSIONS

The Women's Board of Missions of the Christian church will hold a "Tribute Day" meeting at the church next Wednesday evening. The purpose of this meeting is to set forth the increased needs of the missions of the church in various parts of the world.

The cost of maintaining these missions, owing to the great increase in prices in all parts of the world as a result of the great war, has increased so tremendously that it is found that the regular income of the societies is not sufficient to maintain the work already established. An offering will be taken at this meeting to help cover this great increase in maintenance cost.

Members of the church and friends are invited to be present.

HAWAII SHERIFF COMES TO SECURE ALLEGED MURDERER

Sheriff Samuel K. Pua of Hilo arrived in the Mauna Kea this morning with a warrant for the arrest of Nosaki, charging him with the murder of Nishi on the Big Island nine years ago. Nosaki goes back to the Big Island this afternoon in charge of a police officer. Pua will return later.

Although the sheriff was not in charge of the Hawaii office at the time of the killing he believes Chief McDuffie has the right man. McDuffie caught Nosaki a few days ago and immediately informed Sheriff Pua. The sheriff from Hawaii intended to bring with him a Japanese who could identify Nosaki, but at the last moment the Japanese refused to come and Pua brought a photograph instead. According to McDuffie this bears a striking likeness to Nosaki.

KILAUEA SCENES ARE FLASHED BEFORE BIG MAINLAND CROWDS

Kilauea and many other wonder spots of Hawaii are now being shown by the Lyman H. Howe Travel Bureau on the mainland. Word has been received that the lecturers of this bureau have already begun their tour, and Hawaii and the volcano are being featured.

Moving pictures of the volcano have already been shown in St. Paul and St. Peter, as well as other Minnesota cities. The Howe bureau will continue featuring Hawaii in their lecture tours for the next six months at least, and everywhere the pictures have been shown the people of the mainland have been more than pleased by the attractions offered.

ALLEGED MURDERER PLEADS NOT GUILTY

Charged with first degree murder, Henry Lonokapu, a Hawaiian, pleaded not guilty in Circuit Judge Ashford's court today. The case was placed on the calendar to be set for trial. Attorney William Sheldon, counsel for the defendant, did not ask for bail. He said he would probably present a motion for the release of Lonokapu at a later date.

MAKE COMPLAINT METER RATE IS HIGHER THAN OLD

Chinese and Japanese Merchants Ask Supervisors and Mayor for Redress

Asking the mayor and board of supervisors to investigate the meter water rates which they claim are higher than the flat rates and therefore work an injustice upon them, 11 Chinese and Japanese merchants, representing more than 100 others, have sent in a petition requesting that something be done to equalize the rates.

In the petition they claim that often the rates are three times higher than under the flat rate system, and that it is not due to a waste of water on their part as they have been particularly careful to stop all leaks.

Harry Murray of the water department is working now on a resolution to reduce the meter rate from 6 1/2 cents to 5 cents, which he will present to the board of supervisors before December 1, the resolution to take effect September 1.

Murray is also endeavoring to frame an ordinance to compel the flat rate consumers of city water to stop all leaks, but is meeting with numerous difficulties in the way of fixing a penalty which will be fair to all, and at the same time deal severely with those who continue to be slow to have the leaks repaired.

Murray has seen a number of the plumbers here regarding a fixed price to repair all leaks but so far has not met with very much cooperation. He is, however, working on this angle and hopes to solve it before long.

DANCE TONIGHT AT BIG ARMORY

Decorations are set today for the mask dance to be held tonight at the armory, one of the regular Saturday evening features. Prizes this evening will be of exceptional value—a \$25 ukulele for the lady appearing in best costume and a Gillette safety razor for the best costumed man.

Stringed music will be of the best according to the officials at headquarters, and all persons are welcome, guardsmen and their friends. Sgt. Bruce W. Shelton is in charge. The dance will begin at 8 o'clock.

DAILY REMINDERS

Expert manicurist, Union barber shop.—Adv.

Round the island in auto, \$4.00. Lewis Stables. Phone 2141.—Adv.

Make some of today's want ads serve YOU—by answering a few of them.

For Distilled Water, Hire's Root Beer and all other Popular Drinks try the Con. Soda Water Works Co.—Adv.

Almost every one of your "don't wants" is sure to be somebody's "want." So phone your "don't wants" to the Star-Bulletin and get rid of them.

If you want carbon copies that are clear and will stand handling without smudging insist on having Keelox Carbon Paper. The best all-round carbon paper on the market. A. B. Arleigh & Co., Hawaiian agents.

An award of \$12,100 prize bounty was made to the officers and crews of a squadron of Vice-Admiral Sir Frederick Sturdee, which destroyed the German Pacific squadron in the battle off the Falkland Islands, in December 1914.

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Hawaii's industry in every branch is entitled to active and intelligent representation before Congress through the Delegate.

The Representative who goes to Washington should have personal first hand information of the subjects that are to come before the Departments and also the legislative branch. He should go willing and able to personally study the problems and the issues so that he may take an active part in aiding legislation or Department action in which this Territory is especially interested.

Hawaii's man on the job should be as nearly as possible a man who can speak from his own knowledge so that he may occupy the position of a leader who cooperates with the citizens who may from time to time be in attendance on committee sessions or present the sentiments of the people of the islands before any of the Departments.

I am certain that my experience and reputation for hard personal work are such as to recommend me favorably to those of my fellow citizens who wish to have in Washington an active worker who knows through his own study and experience how to work for Hawaii and to do so effectively.

Believing that I can so represent the people of this Territory, I am asking them for their support in the coming primary election.

A. L. LOUISON,
Candidate for Delegate to Congress